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**RESOLUTION NO. 05-481**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON CASTLE ROCK FROM THE SOUTH LINE OF LOT 3, BLOCK C, KRUG NORTH ADDITION NORTH TO THE SOUTH LINE OF LOT 14, BLOCK C, KRUG NORTH 2ND ADDITION; ON BURNING TREE FROM THE NORTH LINE OF LOT 16, BLOCK A, KRUG NORTH ADDITION TO CASTLE ROCK; ON AYESBURY AND CAMDEN CHASE COURT INCLUDING THE CUL-DE-SAC; ON CAMDEN CHASE FROM THE WEST LINE OF THE PLAT TO AYESBURY AND THAT THERE BE CONSTRUCTED PAVEMENT ON AYESBURY CIR. FROM THE EAST LINE OF CASTLE ROCK TO AND INCLUDING THE CUL-DE-SAC AND THAT SIDEWALK BE CONSTRUCTED ALONG ONE SIDE OF CASTLE ROCK, BURNING TREE, CAMDEN CHASE, AND AYESBURY (NORTH OF 21ST, WEST OF 143RD ST. EAST) 472-83974 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON CASTLE ROCK FROM THE SOUTH LINE OF LOT 3, BLOCK C, KRUG NORTH ADDITION NORTH TO THE SOUTH LINE OF LOT 14, BLOCK C, KRUG NORTH 2ND ADDITION; ON BURNING TREE FROM THE NORTH LINE OF LOT 16, BLOCK A, KRUG NORTH ADDITION TO CASTLE ROCK; ON AYESBURY AND CAMDEN CHASE COURT INCLUDING THE CUL-DE-SAC; ON CAMDEN CHASE FROM THE WEST LINE OF THE PLAT TO AYESBURY AND THAT THERE BE CONSTRUCTED PAVEMENT ON AYESBURY CIR. FROM THE EAST LINE OF CASTLE ROCK TO AND INCLUDING THE CUL-DE-SAC AND THAT SIDEWALK BE CONSTRUCTED ALONG ONE SIDE OF CASTLE ROCK, BURNING TREE, CAMDEN CHASE, AND AYESBURY (NORTH OF 21ST, WEST OF 143RD ST. EAST) 472-83974 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 04-185 adopted on April 13, 2004 and Resolution No. 05-399 adopted on August 2, 2005 are hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct pavement on Castle Rock from the south line of Lot 3, Block C, Krug North Addition north to the south line of Lot 14, Block C, Krug North 2nd Addition; on Burning Tree from the north line of Lot 16, Block A, Krug North Addition to Castle Rock; on Ayesbury and Camden Chase Court including the cul-de-sac; on Camden Chase from the west line of the plat to Ayesbury and that there be constructed pavement on Ayesbury Cir. from the east line of Castle Rock to and including the cul-de-sac and that sidewalk be constructed along one

**side of Castle Rock, Burning Tree, Camden Chase, and Ayesbury (north of 21st, west of 143rd St. East) 472-83974.**

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Five Hundred Sixty-Five Thousand Dollars (\$565,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **August 1, 2005** exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**KRUG NORTH ADDITION**

Lots 17 through 24, Block A  
Lots 1 through 3, Block C  
Lots 14 through 16, Block C

**KRUG NORTH 2ND ADDITION**

Lots 30 through 47, Block A  
Lots 1 through 8, Block B  
Lots 1 through 13, Block C

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lots 19 through 24, Block A, shall each pay 20/951 of the total cost of the improvements; and Lots 17 and 18, Block A, and Lots 1 through 3 and Lots 14 through 16, Block C, KRUG NORTH ADDITION shall each pay 22/951 of the total cost of the improvements; Lots 1 through 3, Block C, KRUG NORTH ADDITION shall each pay 13/951 of the total cost of the improvements, Lots 5 through 8, Block B, KRUG NORTH ADDITION 2ND ADDITION shall each pay 14/951 of the total cost of the improvements, Lots 34 through 37, Block A, and Lots 4 through 7, Block C, KRUG NORTH ADDITION 2ND ADDITION shall each pay 16/951 of the total cost of the improvements; Lots 30 through 33 and Lots 38 through 47, Block A, Lots 1 through 4, Block B, and Lots 8 through 13, Block C, KRUG NORTH ADDITION 2ND ADDITION shall each pay 18/951 of the total cost of the improvements.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment of said tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may

be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, October 4, 2005.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK  
(SEAL)